IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7887 OF 2005

Balkrishna Gulabrao Nevsey .. Applicant
Versus
State of Maharashtra .. Respondent

Mr.I.Y.Solkar for applicant
Mr.S.S.Tatkare, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 8th December 2005.

P.C.

. Applicant applies for bail in pursuance of his arrest on 4th June 2005 in case registered with D.C.B., C.I.D. Unit III. C.R.No.64 of 2005 has been registered for offences under section 465, 466, 468, 471, 472, 420 read with 34 and 120 I.P.C. as well as Section 12 of Passport Act.

2. C.R.has been registered at the instance

of the Police sub-Inspector, D.C.B. C.I.D. Unit III pursuant to a report on television about death of Suresh Krishnakant an Indian citizen in Thailand. Therefore, the complainant was alerted. Complainant states that deceased was belonging to Chota Rajan Gang and name of the deceased was in fact Balu Dokre. It appears that he visited the said country on a passport which was issued to him on the basis of false and bogus documents such as ration card, school leaving certificate etc. Alerted by this complainant states that several such cases were discovered at the passport office. Nearly 64 passports have been issued on the basis of such bogus and false certificates. The case against applicant is that while the said passports were issued he assisted passport aspirants by preparing false and bogus records.

3. It is pointed out in the application that investigation is complete and the charge sheet is

filed. Necessary documents and records including blank school leaving certificates and ration card have been seized. Premises of the concerned persons have been sealed.

4. With the assistance of the learned Counsel for the applicant and A.P.P. I have perused the F.I.R. Applicant has been charged with assisting persons aspiring for passport by submitting false documents such as ration card, school leaving certificates etc. The applicant has been charged along with others in preparing bogus documents. Offences are serious but investigation is complete. All documents are seized. Even the place has been sealed. Co-accused in this F.I.R. viz., Abdul Gani and Virendra Patil charged with same offences have been enlarged on bail. Considering these facts and also the fact that the applicant is the only bread earner in the family, present applicant deserves to be granted. However, at the same

time stringent conditions need to be imposed to secure presence of the accused at the trial. Applicant is permanent resident of Mira Road and permanent place of residence. Hence, following order:-

i) The applicant shall be enlarged on bail in connection with C.R.No.64/05 with DCB, CID Unit III and C.R.No.181 of 2005 with Worli Police station in the sum of Rs.10,000/- with one or two sureties in the like amount.

ii) The applicant shall report to DCB, CID Unit III on every Friday between 10.00 a.m. and 12.00 noon. The applicant shall not leave Mira Road city limits without prior permission of the I.O.

iii) The applicant shall cooperate

with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) Application disposed of in above terms.

vi) The parties to act upon an authenticated copy of this order.

. This order will not prevent police authorities from initiating disciplinary proceedings against the applicant.

(S.C.DHARMADHIKARI, J)